

Concise - from the Author

Dec. 22

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LETTER

5th K. S. -

TO

A FRIEND IN THE COUNTRY:

WHEREIN

Mr. Paine's Letter to Mr. Dundas

IS PARTICULARLY CONSIDERED.

BY

A MEMBER OF ONE OF THE INNS OF COURT.

" Could I but succeed so as to afford new reasons to every man to love
" his Prince, his Country, his Laws; new reasons to render him more
" sensible, in every nation and government, of the blessings he enjoys,
" I should think myself the happiest of mortals." MONTESQUIEU.

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LETTER

A FRIEND IN THE COUNTRY

Mr. James A. Smith to Mr. D. D. D.

IS PARTICULARLY CONSIDERED.



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WASHINGTON, D. C.
1850

LETTER

TO

A FRIEND IN THE COUNTRY,

&c. &c.

SIR,

I SHOULD not have troubled you with the following Observations on *Mr. Paine's Letter to Mr. Dundas*, had it been confined to that mode of publication in which it originally appeared; but as it is now industriously disseminated, in sixpenny pamphlets, amongst some who are not qualified to judge of its contents, I shall take the same method to undeceive that class of men that he has taken, in my opinion, to misguide them.

Were we to form our judgment of Mr. Paine, or of his Works, from his own testimony, there are perhaps few authors that have an equal claim to the gratitude of the public. — “There is not,” says he, “in the writings of any political author, ancient or modern, a

“ greater spirit of benignity, nor a stronger inculcation of moral principles, than in those which I have published. They come from a man who, having lived in different countries, and under different forms of government, and who, being intimate in the construction of them, is a better judge of the subject than it is possible that you,” addressing himself to Mr. Dundas, “ for the want of those opportunities, can be : — and besides,” adds he, “ they come from a heart that knows not how to beguile.”

But as the Rights of Man, according to this Gentleman's principles, confer a power on every individual to think and act for himself, may we not enquire, Whether that language which he makes use of, and those sentiments which he attempts to convey concerning the government of a country where once he was a subject, under the protection of whose laws he now lives, and, of consequence, to whose Sovereign he owes at least a temporary allegiance, proceed from a spirit of benignity ? or, Whether exhibiting to the public, in colours the most odious and contemptible, that subordination of rank, which under different modifications

fications has taken place, and ever will take place in every well regulated society, can tend to the establishment of good order, or to the inculcation of moral principles?

Let this author boast, if he will, of the knowledge which he has acquired by having lived under different forms of government, and by having, as he says, been intimate in the construction of them; let him enjoy that fame (to many it will not be an object of envy) but let him not disturb the peace of society, and, by his writings, officiously and factiously endeavour to render men dissatisfied and unhappy, who are already possessors of every mean of enjoyment, under that form of government which they are bound to obey. — That integrity and purity of intention to which he lays claim, shall remain unimpeached by me: I have too much respect for you, Sir, and for myself, to descend to personal invective, or to imitate this writer in political abuse.

Mr. Paine seems to have two objects in view in his Letter to Mr. Dundas. First, To prove that hereditary succession, as applied to kings, chief magistrates, or to nobility, is

founded upon usurpation and folly. Secondly, That the representative system (as he calls it) ought to be universal.

Let us mark the consequences of the former of these propositions : — When applied to Great Britain, it amounts to this, — that our King should be dethroned, our nobles degraded, — and, after having overturned every order of the state, we should begin to think of forming another constitution, and to consider what sort of representative government may be best for us to adopt.

But what are those boasted arguments which are to overturn a form of government that (notwithstanding Mr. Paine's objection to the word) has for ages been held *sacred* by many ? — He informs us, That hereditary monarchs are often both weak and wicked. — I deny it not. He might have added, “ and elective monarchs and magistrates also.” Happy would it be for mankind if in monarchies virtue was the birthright of kings; and if in republics the choice of the people were confined to the most worthy citizens ! But because monarchs and magistrates may not
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at all times act properly, are we therefore to abolish hereditary succession, on the one hand, or the right of election, on the other? Because governors are not perfect, are we to have no governors at all?

Hereditary succession, I will allow, when united to arbitrary power, may render that power more arbitrary and oppressive. But has Mr. Paine never seen, in the course of his extensive experience, the authority of an hereditary magistrate so modified and directed as to prevent its being abused? Has he never heard of a country where that magistrate has power to give vigour and energy to the operations of government, but not to oppress or enslave the people; to moderate and conduct the other orders of the state, but not to overturn them; to go so far, but not to transgress those bounds which the law has placed to his authority? He will perhaps deny that such a government exists, as he may not have been intimate in the construction of it. But to the candid and fair enquirer, I am not afraid to maintain that such a government does exist, and that in a country which we Britons can happily call our own!

But are there no inconveniences that may arise, and have arisen, from the election of magistrates? Has the choice of kings and chief governors been always conducted in that quiet and peaceable manner by which Washington was placed at the head of the American States? Does not history, does not even the present day, point out to us the example of a nation unable to support itself under those convulsions that accompanied the election of its chief magistrate, gladly flying to hereditary succession as the only remedy for those insupportable evils?

But why is hereditary government founded upon usurpation? "Because," says Mr. Paine, "there does not exist a right to establish an hereditary government — *that* being a government to come; and people who come after, have the same right to choose a governor as those who have gone before them."

Let us trace the consequences of this reasoning: —

Suppose an annual magistrate to be chosen in a republic, and that the electors of this magistrate

gistrate consisted of the inhabitants of that republic who, on the day of election, had attained to the age of twenty-one years,—I ask, Whether every person who in that year (after that day) should attain to that age, could be said to have assented to this election?—What right, as to such persons, had that magistrate to command? and what obligations were they under to obey?

Is America then free? I deny it.—If General Washington was chosen Governor by a certain number of men, or by their representatives, he was only chosen by such electors as were qualified by the laws of that country, to give their vote on the day of election; but during that Governor's life, or during his reign, can others be said to be free who were not then arrived at that period, before which they could not exert this right of citizenship.

The same objection takes place as to the legislative part of that, and of every elective constitution; for, such as have not attained that wished-for age on the very day of election, for some period of their lives at least, can have no representative, can give no assent to the laws
by

by which they are governed. And why should a man be thus subjected, involuntarily subjected, to such laws for three years, for one year, or for one day? Might he not say, and according to these principles justly say, I have the same right to chuse a magistrate for myself, and to give my assent to such laws as I am obliged to obey, as those that were born but a few months before me? I will have a governor, I will have laws of my own, it is my birth-right; to withhold this, is to deprive me of the privileges of a citizen and of a man!—So true is the observation of Mr. Pitt, “That a government founded on such principles, if it begins at noon, — will end at night.”

Were we to pursue this argument farther, the question might be put, if we are to be subject to government, wherein consists the difference, whether our magistrates are appointed, or our laws enacted prior or posterior to our birth, provided our assent has been wanting? what is it to us whether we are to obey a magistrate elected by others, or to submit to one to whom our country hath formerly thought proper to give a right to that office by hereditary

ditary descent?—But why should men when they reason concerning government, listen to such fanciful theories? Let them appeal to common sense, and to experience, that instructor of nations. Let them draw their conclusions from an examination of society and of man, then they will discover the absurdity of these visionary deductions, of the factious demagogue, and of the speculative philosopher.

There is another consequence which follows from Mr. Paine's reasoning, and which he is careful particularly to express: "When I look
 " into history," says he, "and see the multi-
 " tudes of men, otherwise virtuous, who have
 " died, and their families been ruined, in de-
 " fence of knaves and fools, and which they
 " would not have done had they reasoned at
 " all on the system, I do not know a greater
 " good that an individual can render to man-
 " kind, than to endeavour to break the chain of
 " political superstition." Perhaps a declara-
 " tion similar to the present cannot be found in
 " any other author:—His meaning is this, if
 " it is any thing: That in every age of the world,
 " almost every loyal subject has acted foolishly;
 " and that the greatest good which an individual
 " can

can render mankind, would be to induce every subject, if not to betray, at least to desert his Sovereign. By this new scheme of politics we are to banish from our hearts that honor, generosity, and fidelity, which reside in the breast of the true patriot who loves his country, and loves and is ready to defend his King, because he is the head and protector of that country; we are to annihilate those forms of government under which we have lived and prospered, that at the probable expence of civil war and bloodshed, we may obtain a species of liberty which never existed—but in the idea of this Author.

But the greater part of Mr. Paine's Letter is taken up with recommending the constitution of America for us to imitate and adopt.

In attempting to prove the advantages of that government over our own, he holds forth the superior progress of the riches and improvement of America since the war. The reason is obvious, supposing the fact to be true. By that war we were much injured, but America was well nigh destroyed; we had losses to repair; that people had

had almost every thing to renew : we cannot boast that since that period our towns have been rebuilt, because none of them were destroyed ; we cannot speak of the high improvement of our plantations and farms, since none of them were laid waste ; we cannot say that our funds have risen equal to those of America, because they never were so low. The change in America may be greater and more apparent than in Great Britain, as a recovery from a violent disease makes a greater, as well as a more visible alteration on the human body, than from a slight disorder ; but does it follow from thence that the constitution of the one country is more excellent than that of the other ? Does it follow that America might not have gained equal, nay superior advantages, had it adopted a different form of government to that of a republic, or had it continued that constitution which it possessed previous to the war ? And because Great Britain cannot boast of having recovered from losses which She never sustained, are we therefore to infer, That if misfortunes should ever unhappily befall that nation, the vigour of its constitution might not, and could not, afford proper remedy and support ?

But

But to determine whether the constitution of America or of Great Britain is to be preferred, we must suppose both countries to be placed in circumstances exactly similar. For, granting that the government of America is suited to its local situation, is accommodated to the manners, to the habits, and to the inclinations of that people,—Is that government therefore to be universal? is it accommodated to every period of society, and to every country? Is it accommodated to our situations, to our manners, to our inclinations? May not two, may not a number of governments exist, and each be suited to that country where it is established, and each be excellent in its kind?

But the diminution of taxes is the popular, and it must be added, the flattering prize which this Author informs us we are to obtain by this change of constitution: And how is this to be accomplished? First, By deposing our King, that we may not have the burden of a civil establishment: Secondly, By forming a perpetual alliance between Great Britain, France, and America, by means of which there is to be an universal peace, and, of consequence, no occasion for fleets and armies. If we presume to doubt of the practicability of this wonderful plan,

plan, we are desired to look at America, where the taxes are inconsiderable, where the people are happy, and where there is no king.

Let us then for a moment consider the situation of America. That country has but newly acquired what it calls Independence ; it is but recovering from the ravages of civil war. Individuals there have their fortunes to repair, and their own private concerns to arrange. Wealth has as yet made but an inconsiderable progress ; Luxury, its usual concomitant, is there but beginning to be known. It is natural for men in such circumstances, having obtained the object of their wishes, for sometime at least, contentedly to enjoy that tranquility which they possess, and to look up with admiration and gratitude to such whom they may account as the authors of their happiness. 'Thus it was, that the family of Orange was placed at the head of the Dutch Commonwealth ; and thus it is, that Washington has now obtained the highest rank of magistracy in the American States.

But how long did that spirit of tranquility continue in Holland—and how long will such a spirit continue to prevail in America ? — No longer,

longer, perhaps not so long, as the life of the present Governor. Wealth and ease will produce ambition — ambition will create faction, and who can say but the election of a successor to Washington may not shake this newly-raised empire to its very foundation; and that country, as well as others, be happy to submit to an Hereditary Magistrate restrained by law, rather than to an equal, elevated perhaps by the chance of the moment, who in his exalted situation must ever retain the passions and prejudices of a private citizen.

But, be that as it may, how different is both the external and internal situation of the two countries! — the one surrounded by rivals, actuated by fear and by envy; — the other, as to a competitor for power, placed on a continent alone; the one possessing a number of colonies, which it must protect; the other having nothing to care for but its own safety; the former of full age, and arrived at its vigour and maturity; the latter too young as yet to excite envy, emerging only from its obscurity, and having its name now, for the first time, enrolled amongst nations: the inhabitants of Great Britain luxurious and rich; those of
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America industrious and frugal. Can we suppose that the same form of government is suited for two nations, in situation and circumstances, so widely different?

Besides, is the government of America so matured by time and sanctioned by experience—are its effects so perfectly known, or has it been so thoroughly tried, that a wise man would venture to decide concerning either its excellencies or defects? Are the petty wars which it wages with defenceless savages, a sufficient proof of its executive strength? Is even the success of a few years, a proper criterion to judge of its superior merit? After it has stood the shock of external violence and domestic faction, those distempers more or less incident to every state, it will be full time enough to form an opinion concerning it, and to consider of the comparative advantages and disadvantages which it may possess when contrasted with our own.

The idea of a perpetual alliance between Great Britain, France, and America, by means of which our naval and military establishments are to be reduced, is fanciful and absurd. I would ask any man of common sense, whether

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such

such a plan is likely ever to take place? and, if it were once accomplished, whether it could possibly continue for any given period? Such a scheme may please the fancy, but alas! it is only a golden dream, and never can be realized, unless this Author can by his writings recall the age of the poets, and convert Great Britain, France, and America, as well as the other states of Europe, into the Eutopias of the philosopher.

But how can these blessings, which this Author holds up to our view, be obtained for this kingdom? by civil war and bloodshed? So far we might then be similar to what America has been; that our cities would be destroyed, our lands laid waste, our funds perhaps reduced below 100. for the 1000. ; and after having suffered more misery than the worst government could inflict, have to regret the loss of that constitution, which, in the height of our folly, we thought proper to destroy. On such foundations does this Author's proposed reformation depend, and by such means must it be accomplished.

Am I to appeal to justice, to humanity, or to common sense? what can be said stronger than
barely

barely to state such opinions : an axiom cannot be demonstrated, an absurd proposition cannot be rendered more so, by the most elaborate refutation.

But who is the man who thus lays claim to this superior wisdom? what title has he to disturb the peace of society? Because he may be a subject, or pretend to be a subject, of a commonwealth, has he on that account a privilege to insult monarchs, or monarchies? I put the question, in that land so hostile to Kings, where, according to Mr. Paine, distinguished abilities only lead to pre-eminence; where merit and rank are but synonymous terms; where the strictest commercial faith with this country has ever prevailed, and where that spirit of benignity to be found in the Rights of Man, has been uniformly exercised towards such who even have not thought unfavourably of Kingly power, in that so favoured country — in America, — Should a stranger, arrogating to himself a right to dictate to that people, publish what he might call the Rights of Kings, and abuse in the most illiberal manner the constitution of that State; should he treat with the most indecent contempt their senates and governors, — would

such a conduct be there endured? would the mild spirit even of a Washington submit to such an insult? would not, and ought not, the Americans to say to such an incendiary, Who made thee legislator to us? we want none of thy counsel; dare not to insult our government, or disturb our repose. Depart from us — Be-gone.

But after all, what is the end of government? Happiness. How is this happiness to be obtained? By having our persons free, and our property secure. Upon what grounds, in either of those respects, have we reason to complain? If we are taxed, we tax ourselves: if we are imprisoned, it is because we offend against the law. What liberty is there that a reasonable man would wish, or a good man would use, that we do not possess? It is true, according to Mr. Paine's principles, we are not equal; we have distinction of ranks; we have nobles, and we have a King. But does, or can, the kingly power, as established amongst us, work injury to the meanest individual? Do, or can, the nobles oppress us? Does that envied distinction, place any man above the reach of the law, or protect him from its authority? Is the complaint

plaint of the poor man unheard because of his poverty, or can the rich man poison the fountains of justice by means of his riches? — He that is injured, let him complain; it is to him that we ought to listen, not to demagogues with their specious pretences; not to strangers, or pretended strangers, who have nothing to lose; who may derive advantage; but whose fortunes place them beyond the reach of receiving prejudice from the convulsions of empires. What is it to us whether such men are, as they pretend to be, strictly moral; whether they are hypocrites or sincere, or whether we are to date our ruin from the wild and unrestrained flights of their enthusiasm, or from the dark and deliberate machinations of their villany? Situated as we are, much have we to lose by change; little, very little, have we to gain. If our constitution is imperfect, let it be amended; but let it be amended according to the principles of that constitution; by such to whom we have delegated that power, who will and who must be attentive to the voice of the people. But as such legislators would faithfully discharge that important trust committed to their care as they would respect themselves, their country, or their posterity, let them distinguish,

tinguish, carefully distinguish, between that sacred voice, and the clamour of disappointed ambition, or the cry of virulent faction. Placed in the midst of nations, who are eagerly pursuing what we have so long enjoyed, who seem as yet ignorant of the nature of that liberty which they so much wish for and desire; who are torn by faction and agitated by popular phrenzy, who, newly emancipated from arbitrary power, know not as yet how to be free; *placed I say, in this situation, and knowing and feeling the blessings which we possess, let us properly prize our happiness, let us be contented and thankful. We feel, we practically feel, the effects of true liberty—what can we, what would we have more!*

I am,

SIR,

Your humble Servant,

7th July, 1792.

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